

MINUTES
COLUMBUS BOARD OF ZONING APPEALS
AUGUST 23, 2005
COUNCIL CHAMBERS, 2nd FLOOR, CITY HALL
123 WASHINGTON STREET
COLUMBUS, INDIANA

Members Present: Pat Zeigler, Chairperson, Karen Dugan, Secretary, Lou Marr, Mary Ferdon, Dave Bonnell

Staff Present: Laura Thayer, Assistant Planning Director; Marcus Hurley, Associate Planner, Alan Whitted, City Attorney; Stephanie Carr, Code Enforcement

EXECUTIVE SESSION

An executive session of the Columbus Board of Zoning Appeals was held prior to the regular meeting to discuss the initiation of litigation that is either pending or has been threatened specifically in writing in accordance with IC 5-14-1.5-6.1(b)(2)(B). The Board hereby certifies that no subject matter was discussed in the executive session other than the subject matter specified in the public notice of August 19, 2005.

PUBLIC MEETING

Patricia Zeigler, Chairperson, opened the meeting with a brief explanation about the Board and its responsibilities.

Proof of advertising for all cases was confirmed. The petitions and staff comments are a permanent record at the Planning Department.

Alan Whitted, Deputy City Attorney, administered the oath to all in attendance that would be speaking.

DOCKET C/DS-05-11 (A & N ENTERPRISES)

A & N Enterprises is a request by Curt and Michelle Aton for a development standards variance to reduce the amount of stacking spaces required for a drive through business. The property is located at 1122 2nd Street in Columbus Township.

Marcus Hurley read the staff report along with the findings of fact into the record. Slides of the property were shown.

Mr. Hurley stated that the staff recommendation would be to deny petition, due to the fact that the petitioner does not meet any of the criteria for variance. Further, the applicants should be directed to resolve the sign and trash enclosure zoning violations on the property.

Petitioners Curt Aton and Hank ? presented their case to the staff.

The petitioners showed a video as part of their presentation.

The meeting was opened to the public.

There was no public comment.

There was a brief discussion between the petitioners and staff as to whether a continuance would be necessary due to the fact the petitioners would like to change the plans to meet criteria.

Karen Dugan moved to continue **C/DS-05-11**.

Dave Bonnell seconded the motion for continuance.

Motion passed 4-1.

DOCKET NO. C/CU-05-12: Albert H. Shumaker II is requesting a variance to allow a garage to exceed the height limits for an accessory structure in an R-1 (Single Family residential) district. The property is located at 2335 Riverside Drive in Columbus Township.

Ms. Zeigler stated that a letter had been submitted to the staff from Albert Shumaker for a request to continue this case until the September hearing. This request is due to a potential alternative solution to Mr. Shumakers' request, which will be compliant with the ordinance. The Department of Technical Code Enforcement is reviewing Mr. Shumaker's proposal to determine if it complies with the ordinance. If the proposal complies there will be no need for variance at which time Mr. Shumaker intends to withdraw his petition.

Lou Marr moved to continue **C/CU-05-12**.

Dave Bonnell seconded the request. Motion to continue was passed unanimously.

DOCKET NO- C/DS-05-13 Ubiquitel- Ubiquitel Leasing Company is requesting a variance to allow a 195' proposed telecommunications tower to encroach into required setbacks in an I-1 (Restricted Industrial) zoning district. The property is located at 51 South US 31 in Columbus Township.

DOCKET NO.-C/05-09-Ubiquitel- Ubiquitel Leasing Company is requesting a variance to allow the operation of a 195' proposed telecommunications tower/facility from a property located in the I-1 (Restricted Industrial) zoning district. The property is located at 51 South US 31 in Columbus Township.

Karen Dugan moved to continue **C/CU-05-13** and **C/DS-05-09** until the September meeting due to a potential collocation of the proposed antennae on an adjacent water tower.

Mary Ferdon seconded the motion that passed unanimously.

FINDINGS OF FACT

The following findings of fact were presented to the board for consideration:

C/DS-05-08: Lighthouse Carwash- Mary Ferdon made a motion to accept the findings, seconded by Dave Bonnell. The motion passed unanimously.

C/DS-05-09: Orinoco Properties- Mary Ferdon made a motion to accept the findings, seconded by Karen Dugan. The motion passed unanimously.

C/CU-05-04, C/CU-05-06, C/CU-05-07, C/CU-05-08 - Princeton Park Phase III Model Homes – Dave Bonnell moved to accept the following findings, seconded by Karen Dugan. The motion passed unanimously.

C/CU-05-05: Wanicki, Charles and Christine- Mary Ferdon made a motion to accept the findings, seconded by Dave Bonnell. The motion passed unanimously.

APPROVAL OF MINUTES

Upon the motion made by Mary Ferdon and seconded by Dave Bonnell, the minutes of the June 28, 2005 meeting were approved unanimously.

There being no other business, the meeting was adjourned.

Pat Zeigler, Chairperson

Karen Dugan, Secretary